



**Oral Neutral Testimony on
SB 383, adding certain third parties who contract
with districts to the definition of special teacher
Senate Committee on Education**

**By
Shannon Kimball
Government Relations Specialist**

**Kansas Association of School Boards
skimball@kasb.org**

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Chair Erickson and Members of the Committee,

KASB's member school boards urge the Legislature to ensure that public school funding is based on "the actual costs of educating students." SB 383 amends the definition of "special teacher" in K.S.A. 72-3404 to include persons who provide special education or related services to a student with an IEP who are not employees of the school district but are, instead, third-party contractors under contract with the school district to provide those special education services.

KASB appears as neutral on SB 383 because it acknowledges the reality that many districts are contracting with third party providers to ensure students receive the special education services called for in their IEPs. Paying for these third-party contracts is an actual cost to districts of providing special education services; we believe it is appropriate to recognize this reality, as districts continue to struggle with a shortage of qualified special education teachers and related services providers.

We caution legislators, however, that making this change, without adding any additional new dollars to special education funding for FY 26 or FY 27, will have the following outcome: it will increase the number of "special teachers" that districts are eligible to be reimbursed for under the formula, without increasing the amount of overall funding. That will mean that the reimbursement amount per staff person, under the formula, will go down this budget year (as the bill will go into effect upon publication). Unfortunately, districts will experience this as a current-year budget shortfall, requiring them to further increase the amount of general fund and local property tax dollars that the district must backfill into its special education fund.

Suggested Amended to Clarify Contractual Relationship Status

In addition to the concerns raised about the actual budget impact in FY 26 of this change, KASB requests that the committee amend part of the language in the proposed change to the definition of "special teacher."



The way the bill currently defines “special teacher” could be interpreted to mean that it applies to third parties who have contracted with the school district at any point in the past, not just to parties currently under contract with the district.

To ensure that the bill clearly applies to third parties working under a current contract with a school district, and not just any party that at any point in time in the past has contracted with the district, we suggest the following amendment to the definition of “special teacher”:

Starting on page 1 line 36 to Page 2 line 1: instead of “or a third party that has contracted with a school district,” amend this language to read “***or a third party that has a contract with a school district.***”

While this may seem like a minor concern, it will ensure that the intent of the bill is clearly reflected in the language.

Thank you.

***KASB is a non-profit service organization built on an abiding belief in Kansas public schools.
We have put the needs of students and K-12 leaders first since 1917.***